

DOCUMENT RESUME

ED 065 946

EC 042 662

TITLE A Special Study Institute Program.
 INSTITUTION New York State Education Dept., Albany. Div. for Handicapped Children.; Rockland County Board of Cooperative Educational Services, West Nyack, N.Y.
 SPONS AGENCY Office of Education (DHEW), Washington, D.C. Div. of Handicapped Children and Youth.
 PUB DATE Dec 71
 NOTE 24p.; Reprint of Proceedings of Special Study Institute, December 2-4, 1971, Nanuet, New York
 EDRS PRICE MF-\$0.65 HC-\$3.29
 DESCRIPTORS *Administration; Administrative Policy; Administrative Problems; *Administrator Role; *Exceptional Child Education; *Handicapped Children; *Institutes (Training Programs); Supervision

ABSTRACT

Described is an institute with the stated purpose of acquainting public school administrators with the role of the special education administrator and to present a general overview of special education programs and issues. The stated objectives of the institute held are introduction to general education administrators of the current issues in special education in New York State and nationwide and sensitization to everyday problems of special education administrators. The Special Education Administration Task Simulation Game, which was used at the institute as the major educational tool, is described to provide a standardized experience which a group of educators can experience in common and then compare various approaches to coping with daily problems typically confronting the administrator. An evaluation after the institute indicated that 75% of the participants rated the value of the workshop as most worthwhile, and simulation was found to be preferable to other training methods by the participants. (CB)

ED 065946

Proceedings

The University of the State of New York
THE STATE EDUCATION DEPARTMENT

DIVISION FOR HANDICAPPED CHILDREN
BUREAU FOR PHYSICALLY HANDICAPPED

in cooperation with

THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SOLE SUPERVISORY DISTRICT
ROCKLAND COUNTY

Presents

A SPECIAL STUDY INSTITUTE PROGRAM

"To acquaint public school administrators with the role of the special education administrators and to present a general overview of special education issues and implications"

December 2nd, 3rd and 4th, 1971
Sheraton Motor Inn
Nanuet, New York

Funded through
P.L. 91-230
U. S. Office of Education

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EDUCATION & WELFARE
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INTRODUCTORY COMMENTS

The Institute began on Thursday afternoon, December 2, 1971. Dr. Richard Hehir, Chief of the Bureau for Physically Handicapped Children, New York State Education Department, introduced the Institute and addressed the Institute staff and participants:

"This Institute represents the fourth cooperative undertaking which the Bureau for Physically Handicapped Children has conducted with Boards of Cooperative Educational Services in New York State. These Institutes have been conducted in various sections of the State with certain BOCES where it was felt that a closer relationship between special education and general education could be effected and that this Institute might stimulate greater success. All too frequently special education is looked upon as an area separate and distinct from the mainstream of education. Special education is something which should be left to specialists, to technicians who are better able to handle the unusual problems associated with children with special problems. Too frequently the general educator is not involved as intimately as he should be in the process of providing education and services to handicapped children. This Institute has as its goal to provide an orientation and sensitivity to you, the building principals and assistant superintendents who may or may not be actively involved in the problems associated with handicapped children. All administrators in our public school system should be concerned and involved in the education provided to all children, including handicapped children.

We are quite pleased that this Institute involves public school administrators from two Cooperative Boards; the one here in Rockland County which is acting as our host and the Cooperative Board in Orange County. Certainly it is recognized that there is a need for greater cooperation in many activities between and among cooperative boards in New York State. This inservice workshop is an example of one activity in which cooperation among Boards is not only possible but desirable.

Practically all of you attending this Institute are building principals in both Rockland and Orange counties. Some of you have had more involvement with special education and services to handicapped children than others. Henry Brickell has stated in **ORGANIZING NEW YORK STATE FOR EDUCATIONAL CHANGE** that the building principal is the key agent in innovating and changing educational programs in his school. Without the building principal's support many programs will not begin, much less continue to operate. Certainly we agree with this statement and we recognize the important role which the building principal should exercise in the operation of special education programs. Unfortunately, both in the teacher preparation programs and in the university programs preparing educational administrators there is frequently very little, if any, mention of programs for handicapped children. Thus the average public school administrator does not involve himself in the activities associated with special education. Often these activities and frequently problems in this emotionally-charged area of responsibility are left to others specially trained in the area of the handicapped. Yet if we are to broaden the definition of normalcy and thus include handicapped children, all teachers and administrators must become involved with children on an individual basis, including those children at the margins of our educational system. Hopefully your participation in this three-day workshop will allow you to assume the role of an administrator working with the problems concerning handicapped children. Through this experience you will find that the administration of special education programs is not that dissimilar from the administration of other programs found in the public school. Hopefully you will recognize your ability to deal with these problems and in the future will assume responsibility to a greater extent for handicapped children being served within your schools or elsewhere but for whom you stand ready to receive back at the appropriate time.

Certainly the Cooperative Board has an important role also to play in the education of handicapped children. The Board stands as a resource to you both for placement of children as well as support for services to children in your district. This Institute does not propose to make you experts in special education but certainly if you are willing to understand handicapped children the Cooperative Board can be an important resource to support your activities in the district. The BOCES as well as the district has an important role to play in the education of handicapped children.

I am very grateful that you are able to meet with us for these three days to participate in this Institute. It has been our experience in previous Institutes that the participants fully enjoyed and profited from the simulation they receive in this kind of workshop.

We are particularly grateful to Dr. Daniel Sage and his associates who are conducting this Institute in cooperation with the Bureau.

Special Study Institute

THE ORIENTATION OF PUBLIC SCHOOL ADMINISTRATORS THROUGH A GENERAL OVERVIEW
OF THE ROLE OF SPECIAL EDUCATION ADMINISTRATOR

December 2, 3, 4, 1971

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"Culture is activity of thought, and receptiveness to beauty and humane feeling. Scraps of information have nothing to do with it. A merely well-informed man is the most useless bore on God's earth. What we should aim at producing is men who possess both culture and expert knowledge in some special direction. Their expert knowledge will give them the ground to start from, and their culture will lead them as deep as philosophy and as high as art."

Alfred North Whitehead - 1917

"Equality of educational opportunity for all the nations' children and youth should prevail such that none is penalized by his place or other circumstances of birth or rearing."

John W. Kidd - 1968

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ACKNOWLEDGEMENT

This Special Study Institute represents one in a series of similar institutes held in key geographic locations throughout New York State. It exemplifies the cooperative efforts of various branches of Federal, State and Local educational units.

These complex agencies form an alliance both with funding and with effort in time and talent to bring about a program that is both unique and successful. Only through the commitment and cooperation of the N.Y. State Division of the Handicapped and the Superintendents of the Boards of Cooperative Educational Services can these institutes be made into a viable tool to communicate vital information.

It may be that the greatest degree of praise should go to the participants of this and other Special Study Institutes for their willingness to become involved and the spirit of openness with which they proceed through each phase of the total program.

The enormous challenge to educational leadership in maintaining a knowledge of current trends in education and the impact of rapidly changing social conditions upon educators makes this effort at communication an important and rewarding experience.

Thanks therefore, go to all those who produced, directed and participated in the institute.

PURPOSE OF THE INSTITUTE

The institute was held in Nanuet, New York on December 2nd, 3rd and 4th, 1971. This institute was similar in intent to others held previously in Westchester, Tompkins and Monroe Counties. As stated, the purpose of the Special Study Institute is "to acquaint public school administrators with the role of the special education administrator and to present a general overview of special education programs and issues."

Recognition of the limitation of time upon such institutes requires the staff to make each module as precise and candid as possible. In order to keep abreast of rapidly moving issues which currently are having an impact upon special education, a constant revision of the materials used in the S.E.A.T.S. games becomes a necessity.

Since the early sixties the state of the art in special education has undergone enormous change. New methods of placement in special education classes, criteria for placement, new labels, wide varieties of programs, the advent of integration of special education children into regular classes, court actions, legislative enactments and revision of funding and reimbursement patterns are just a few of the issues dealt with in this institute.

OBJECTIVES OF THE INSTITUTE

It was proposed that a simulation exercise (Special Education Administration Task Simulation [S.E.A.T.S.] Game, developed by the Institute director, Daniel D. Sage (11) be used. Originally this game was designed at Syracuse University, to train special educators to become administrators and supervisors of special education programs.

The "Micro" or 3 day workshop is an adaptation of a more extensive training instrument used in courses focusing on special education administration skills for graduate students.

At the first Special Study Institute held in Westchester a new direction was given to the activities. Regular educational administrators, e.g. building principals, curriculum coordinators, assistant superintendents etc. were invited to attend. The exercises proved enough of a success that future emphasis for the institutes, sponsored by the State Education Dept. Bureau of the Handicapped, was placed upon exposure of the process to general rather than special educators.

This led to the present stated objectives of the Institute and the modified version of the S.E.A.T.S. Game.

1. Introduction to general education administrators of the current issues in special education in New York State and, in fact, nationwide.
2. Sensitization to the everyday problems of special education administrators.

SIMULATION AS A PROCESS

The Special Education Administration Task Simulation Game has been developed with the intent of providing a standardized experience which a group of educators can experience in common and, therefore, compare various approaches to dealing with everyday problems which typically confront the administrator in this field. In real life no two persons can hold exactly the same position at the same time. Therefore, no two persons can be said to have had exactly the same experiences. Varying situations bring about a variance in appropriate methods of dealing with problems. Through simulation all the members of a group can begin equally in terms of the amount of information known that will have a bearing on decisions made, and after having faced the problems and made the decisions all the individuals can participate in a consideration of the pros and cons about the handling of each case.

When playing the S.E.A.T.S. Game, certain ground rules are usually employed. The author has found the following to most facilitate the learning process:

1. There will be no academic grade earned in connection with the performance on the simulation game.
2. The performance of each individual on each situation should be subject to discussion and consideration by the remainder of the group if by so doing it will provide general enlightenment and instructional benefit to the group as a whole.
3. Simulation, as a technique, is optimally profitable if the participants can "play the role" as completely as possible and if the mode of presentation of the situations and response to them can be made as realistic as physical conditions will permit.

It would seem the responsibility of the developer of these proceedings to, in some way, efficate the use of simulation technique as a viable tool in the implementation of attitudinal change and the dissemination of relevant information concerning special education administration. Therefore, some elaboration of the history and some critique of the literature concerning simulation as a training device are viewed as appropriate.

Simulation as a method of orienting and training of people in positions of decision making power is not a new technique by any means. Napoleon⁽²⁾ used simulation "games" to train his staff to be aware of the reality of conditions with the assumption that this training component would be generalizable to "in battle" reality.

The military still uses simulation as an effective devise in training its decision making persons. The business community has also incorporated⁽³⁾ simulation technique into its spectrum of training devices as, too, has the educational community.

B.O.C.E.S. itself has incorporated and found tenable the use of simulation in training of sixth graders in N. Westchester County⁽⁴⁾. The results of this extensive study indicated that approximately the same amount of learning as with conventional methods took place but in a considerably shorter period of time and instructional effort. This supports the notion of a "Micro" workshop for busy general and special administrators of educational programs.

Although at one time simulation was seen as a panacea of solutions to the education of the business⁽⁵⁾ community it has matured and become sophisticated enough in its development to now be considered one of a group of viable methods of training administrators.

The University Council for Educational Administration⁽⁶⁾ has invested heavily in the development of this type of training element and is presently involved in the continual process of refining the methodology.⁽⁷⁾

AN OVERVIEW OF THE GAMES

Tour of Dormit and the Orientation Packet

For the first time participants are asked to assume their new identity, that of Lee Blank, newly appointed Director of Special Education for the city of Dormit. Placed in an imaginary car he is transported through the streets of the community via audio and visual device. He is introduced to the lay of the land, several of the schools and finally the desk at which he will begin to direct his future activities.

The first person he meets on the job is his new boss Dr. Ernest Forney. Upon completion of a somewhat nebulous conference Lee is asked to familiarize himself with Packet A, (orientation) of the S.E.A.T.S. Game. Packet A is comprised of:

1. A series of inbasket items such as memos, handwritten notes and letters from various people Lee will become familiar with as he proceeds through his simulated experience.
2. A paper produced by one Harry Oliver, a student at the School of Education, Lafayette State University and former special education teacher in Dormit. The paper is aptly titled **Cultural Influences on the Development of Special Education in the Dormit Central Schools.**
3. A special services handbook produced by Dr. Forney to "provide the staff with a handy reference and a source of basic information about services to and educational provisions for exceptional children in our system."
4. The official State of Lafayette handbook concerning Administrative Guidelines for the Education of Handicapped Children in that state.

The participants are asked to review packet A overnight and be ready to continue in the morning with discussion and packet B.

Subsequent Activities - Packets B and C

It is important to note at this time that simulation as a training activity liberally uses its options to breach time gaps with ease. Lee Blank's first introduction to his job comes about 7 P.M. on a Thursday evening and he is at that time asked to consider that the time of year is the middle of August. By 8:30 A.M. of the following day (Friday) he is flown through time to September 30 of the same year. As the B and C packets are introduced and assimilated Lee will pass through a full school year and even get a glimpse of the things to come in his second year.

He will be bombarded with real phone calls, face to face encounters and provocative information designed to elicit involvement based upon reality.

The following was an interview held between Lee's boss, Dr. Forney and a small group of participants playing the role of Lee, shortly after he begins his job in Dormit. The context is taken verbatim from tapes recorded at the institute.

Lee: What sort of time will I have available for me for inservice programs with these teachers?

Forney: It's up to you.

Lee: Suppose I ask for one when there's a faculty meeting in the school? Which one would take preference?

Forney: Ah! That's a good question. That could be a conflict. Would you want to approach this issue with all the principals?

Lee: No, I'd rather approach it with you now. What's your philosophy?

Forney: How do you feel about it? Do you feel as if you should have priority?

Lee: I think in that case, yes.

Forney: I caution you, Lee. Do you think this might cause a conflict between the special education teachers being identified with special education rather than with the building principal?

Lee: No, because developing good special education teachers requires additional inservice training. I would not demand having them every time there's a faculty meeting.

Forney: Then you would try to avoid conflict?

Lee: Definitely, to be sure. I feel strongly that special education teachers must be part of the school but in addition need identification with other special education teachers.

Here we have a condition which points up the need to look at the possible conflict in roles between the building principal and the Director of Special Education. Even though both professional educators have the child's interests at heart, when placed in a position of decision making the simulated Lee Blank seeks the role of power. How does a respondent or a listener during this conversation wrestle with the role conflict which transpires. What is the proper way to behave under the aforementioned conditions. Clearly there is no sure answer, but the process of placing the participant in the position of making the decision is believed to be a learning experience of importance. In these interactive situations those who are not verbalizing their reaction are, in fact, developing attitudinal conditions which will result in the ultimate awareness of the dilemma. How should the special education administrator behave? How do his special interests relate to the overall school program? What skills must he exhibit in order to efficate his program in each school?

It is felt that when general education administrators are faced with these problems, an awareness to the condition of the other participant in the confrontation becomes a part of their future awareness. Just as in most role-play exercises, when a person takes on the simulated role of his former antagonist a condition becomes apparent wherein he begins to perceive the influences and perceptions of the "other fellow" in a somewhat realistic manner.

Since it is free of the tensions of an actual problem situation, role-playing stimulates the trying out of new alternatives and solutions in life like situations without the consequences which in reality may be punishing. Role-playing in this instance allows a sensitization to the role of another without the subsequent penalties connected with error.

In this taped telephone conversation Lee is faced with the problem of dealing with a building principal who wonders whether special education children should be exempt from certain routine situations. The principal turns to Lee Blank, the "expert," for direction in the treatment of these children.

Phone rings.

Coleman: Hello, Lee, how are you? This is Jim Coleman at McClellan. Lee, I thought I'd check with you to see what you thought about this. This morning the custodian brought a couple of EMR boys into my office - Harry Zimmerman and Doug Johnson - He'd caught them smoking in the boys' room. As you may know, we've been pretty religious about enforcing the state law on smoking around here, but this is the first time it has come up with any of the special class kids, so I sort of held up on my first reaction, which would have been the customary one week suspension, the parent conference before returning to school, and all that, which we always do in these cases when it's any other kids. But with special class kids, I wonder. I have the boys sitting out here in the waiting room right now. What do you think?

Lee: Have the boys come in and I'd like to talk to them so I can explain the rules of the school.

Coleman: Well, they know the rules of the school, they're special but they still broke the rule.

Lee: I think at this time we ought to call their parents and give the boys another chance.

Coleman: Well, their teacher thinks so too. Everybody keeps harping about treating special kids normally but when something like this comes up you people want them treated special.

Lee: I guess this is sort of a special case.

Coleman: How's it going to look when the "normal" kids find out we let the special kids get off?

Lee: I think as long as its their first offense there's nothing wrong with it.
 Coleman: I've always punished "normal" kids when its their first offense.
 Lee: Frankly, I think all kids should have at least one warning.
 Coleman: Well I won't for my regular kids, but I will for the special kids. After all you're the expert.
 Lee: Keep the kids in the office. I'll be right over to talk to them.
 Coleman: When? You mean right now?
 Lee: Yes. I'll come right over.
 Coleman: O.K. They'll be waiting. Good-bye.

When this tape was played back to the entire assembly of Lee Blanks, some lively discussion ensued. Should special education children be treated as special in all respects? Would his time be spent well in visiting the school? Are there misconceptions about EMR children that need to be articulated?

In this sort of discussion, with the guidance of a skilled group discussion facilitator, the questions are examined, the behaviors are talked about and a general consensus of opinion becomes evident. At no time does the facilitator give the "right" answer. The entire exercise is dealt with believing that when the various perceptions are articulated and different problem solving models are discussed the administrator will begin to develop a closer analysis of his own behavior and his own notions of what is "special" about special education children.

In another example a letter is received by Lee which points up the scope and variety of inputs directed at the special education administrator. (See Appendix A) It is designed to illustrate how the community involves itself in special education, but also injects an issue of concern about the normalcy of treatment now being voiced in all phases of special education. How does Lee handle this? How does he feel about the issue philosophically? Can he defend his position during the ensuing discussion?

At this point the participants are asked to examine the responses they have recorded throughout the past sessions, using a decision making analysis form provided for them. (See Appendix B for a sample of this form).

The last problem Lee encounters is possibly his most serious challenge. After receiving various memos and letters from the school psychologist, a teacher of the retarded and a state official, it becomes apparent that Lee must set up a case conference to settle the issue of continued special class placement of a minority group child no longer certified retarded according to present criteria. This role-play is designed primarily to examine the issues concerning placement, its efficacy and the use of intelligence test scores as a device for evaluating a child.

After a discussion the group is shown a film.(8)

This film was developed specifically to introduce general and special education administrators to the issues regarding litigation currently on file and its implications for the placement of children into special education programs in school districts.

The primary issues were: 1. that the Stanford-Binet and Weschler intelligence tests for children are culturally biased and discriminate against minority groups in violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution; 2. that the criteria used to determine who should be specially placed are unconstitutionally narrow and that determination is primarily relegated to teacher recommendations and I.Q. tests; 3. that parents do not have a formal opportunity to be heard before their child is specially placed, also noted to be in violation of the Due Process Clause of the Fourteenth Amendment; 4. the quality of Special Education Programming. Once improperly placed in a special education class, there is little chance that the student will leave it. Insufficient attention is given to the development of basic educational skills such as reading and writing. In situations where individual attention is necessary, such attention is non-existent.

An overriding issue was the irreparable personal harm created by improper placement. The social stigma surrounding the label "mentally retarded" remains with the improperly placed child his entire life. Obtaining a job may be impossible but even more damaging is the psychological impact. Improper placement becomes a self-fulfilling prophecy relegating the victim to an economic, educational and social position far below that which he is, in fact, able to achieve.

Current case law shown in the film and discussed at length after the film can be found in the Appendix C.

The remaining time in the Special Study Institute was devoted to completing a questionnaire designed to evaluate the Institute by the participants.

RESULTS OF S.E.A.T.S. OPINIONAIRE FOR ROCKLAND COUNTY SPECIAL STUDY INSTITUTE

Over 75% of the participants rated the value of the workshop as being "extremely worthwhile" to "worthwhile." Moreover, simulation as a workshop method was unanimously regarded as preferable to other methods.

While 65% of the participants felt the workshop was best for administrators at the principal level, the group was evenly divided in the opinion as to whether it was more appropriate for principals with regular contact or those with marginal contact with special education.

It was in this workshop experience that the activity on decision making analysis was first introduced. In the opinionaire, there was near unanimity that the results were informative to participants.

The written comments of an evaluative nature tended to underscore items checked off in the presented choices. One fatigued respondent concluded:

"I'm exhausted. The pressure was fantastic - I mean my own built-up pressure. Anxious to really make the decisions and direct the damn special education program. It was exciting and enjoyable."

APPENDIX A

Southern Jackson County Chapter
ASSOCIATION FOR RETARDED CHILDREN
Post Office Box 25
Dormit, Lafayette
- A United Fund Agency -

September 29th

Mr. Lee Blank
Director of Special Education
Dormit Central School District
Dormit, Lafayette

Dear Mr. Blank:

The Dormit Chapter of the National Association for Retarded Children is pleased with the educational considerations that have been given to our children. For years, along with struggling to persuade the administration to establish adequate classes for retarded children, we have also consistently voiced the need for the services of a supervisor or director of special education. We are happy to see our dreams and hopes finally coming to fruition.

We are, however, concerned as to the double standard of graduation procedures practiced at the high school level. There have only been a few students that have reached that point so far but when a special education student has completed his high school program, he does not receive a diploma or any form of certificated recognition. With retarded children being so prone to "drop out" certainly those who do complete the program should be rewarded as are the regular children. The value of a diploma has been argued pro and con by many factions in our community. The argument usually comes back to our original premise that if a high school diploma serves no other purpose than to psychologically motivate the regular student, then a retarded student should have the right to the same motivation.

At our last ARC meeting, it was unanimously agreed that our concern for this injustice should be brought to the attention of the school district administration. We are preparing a statement to be presented at the next meeting of the district Board of Education. We would hope that you could attend and act as a resource person in our behalf.

You might like to know that we approached Mr. Statano on this last year and while he did not give us an outright "no" he effectively put us off and I understand that no further consideration has been given to the matter. I hope you can help us in this regard.

Sincerely,

(Mrs.) Helen Fredrickson, Chairman
Dormit Association for Retarded Children

APPENDIX B

DECISION MAKING ANALYSIS FORM

The decision making analysis form is one of many that have been used by the University Council for Educational Administration as part of its own constant effort to obtain feedback from participants in simulation workshops being conducted in all areas of the United States.

In tallying responses it becomes clear that a pattern emerges indicating a general consensus of dealing with problem solving or decision making.

Most participants, as an example, sought to collect information as a method of action prior to any decision. They differentiated between seeking advice from superiors, peers or subordinates according to the nature of the problem.

When an analysis of basic concerns were tabulated, concern for a person rather than any relationships became obvious. What would then seem dicotomous to the strong concern for person was an almost equal response to concern for organization. Evidently Educational Administrators do not see concern for person being a hindrance to exhibiting concern for the organization. Administrators in almost all cases showed a concern for the organization.

An interesting response pattern was discovered when the rationale for action was scrutinized. The technical effectiveness of the decision far outweighed economic, political, social and legal considerations.

The greatest degree of divergence of response came when the simulated decision was actually taken. Three general areas seemed to accumulate the largest degree of response but no single response seemed to be supported by majority decisions. The participants decided to 1. take a final decisive action or 2. postpone action or 3. develop procedures for taking action.

This would seem to indicate a decided difference of opinion concerning the action taken in making decisions. The three actions had a relatively equal amount of responses. For those who seemed to always respond with decisive action this feedback might indicate a need to examine a more conservative response pattern. For those who consistently responded by postponing action a look at more decisive conduct might be a satisfactory alternative.

In analysing the action taken after the decision had been made, a cluster of responses again gathered about direct communication procedures.

This data is simply a tally of general administrative response to decisions faced during the simulated experience and is only the beginning of the development of base line data which will be used in future S.E.A.T.S. games to assist participants in understanding how their own particular response pattern conforms to the responses of all similar participant responses.

This technique is predicated on the theory that no meaningful learning experience takes place without the acquisition of knowledge being primarily in the control of the learner. It is he who must accept or reject the general pattern. It is he who must ask himself questions concerning his own judgement and it is he alone who has the choice of acting on any new found information which he deems relevant.

APPENDIX C

Litigation Concerning Special Class Placement⁽⁹⁾

In **Hobson v. Hansen**, 269 F. Supp. 401 (1967), Judge Skelly Wright held the "tracking" system of educational placement in Washington, D.C. schools illegal as a violation of the Equal Protection Clause of the United States Constitution and he ordered its abolition.

Brown v. Board of Education of Topeka, 347 U.S. 483, 74 S. Ct. 686 (1954) the court held that the tracking system and its methods irrationally separate students on the basis of race and socioeconomic background thereby violating their right to an equal education.

Spangler v. Pasadena Board of Education, 311 F. Supp. 501 (1970), was decided in the U.S. District Court in the Southern District of California. The court found that there was a "racial imbalance" in the student bodies and faculties of the school district at all levels.

Diana v. State Board of Education, C-70, 37 RFP, Dist. Ct. No. California, Feb. 1970, nine Mexican-American public school students, ages 8-13, claimed that they had been improperly placed in classes for mentally retarded on the basis of inaccurate testing methods.

The case was settled in February, 1970 by a stipulated agreement which set forth the following practices to be observed in the future:

- 1). All children whose primary home language is other than English must be tested in both their primary language and in English.
- 2). Mexican-American and Chinese children already in classes for the mentally retarded must be re-tested in their primary language and must be re-evaluated only as to their achievement on non-verbal tests or sections of tests.
- 3). State psychologist are to work on norming a new or revised I.Q. test to reflect Mexican-Americans so that in the future Mexican-American children tested will be judged only by how they compare to the performance of their peers, not the population as a whole.

In 1968 eleven Mexican-American public school children, ages 5 through 18 years, filed a complaint in the Superior Court of Orange County, Calif. **Arreola v. Board of Education, Santa Ana School Dist., No. 160 577, 1968** seeking an injunction to prohibit the continuation of special classes for the mentally retarded until the following reforms are instituted: 1). a hearing is provided before placement as required by the Due Process Clause of the Fourteenth Amendment of the U.S. Constitution and Article 1, section 13 of the California Constitution, 2). the I.Q. tests used to determine placement recognize cultural differences among students in general and the Mexican-American plaintiffs in particular, and 3). the classes for the mentally retarded provide an educationally meaningful curriculum and periodic retesting.

Stewart v. Philips, 70-1199-F, presages the most far-reaching revision of current testing methods. The complaint was filed in the Massachusetts Federal District Court in October, 1970, and delineates three classes of plaintiffs: 1). all poor or Black Boston public school students who are not mentally retarded but have been improperly placed in special classes for the mentally retarded, 2). all poor or Black students who are not mentally retarded and have been denied placement in educational programs created for their special educational needs, and 3). all parents of students placed in classes for the mentally retarded in the Boston public schools who have been denied opportunity to participate in the placement decision. The class one and two plaintiffs argue that the improper placement of students who are poor or Black on the basis of tests which do not accurately measure the learning ability of these students and the denial of educational programs to meet their specific educational needs abridge their right to the equal protection of the laws as guaranteed by the Fourteenth Amendment. Class three plaintiffs argue that the denial of the opportunity to be heard in relation to the placement of their children in classes for the mentally retarded deprives them of their right to due process of the law in violation of the Fourteenth Amendment.

Issues and Implications

The implications of these legal battles are clear.

- 1). Present criteria being used in many school districts in N.Y. State are illegal. We can no longer consider the standardized intelligence test and teacher "hunch" as adequate evidence of the retardation of a child. Therefore, to place a child in a special education class based on this evidence is illegal whether or not it has been tested in this particular state.
- 2). Other data must be collected before placement is obtained. Clearly we are aware that other factors of a cultural nature impinge upon some students performance.

Could it be that the classroom in which the child operates is not able to draw forth from the learner his best performance? Might we not use other evidence of a child's performance such as the Adaptive Behavior Scale now in use.

A further review of literature concerning the misuse of intelligence testing as a device of special class placement can be found in many of the current books⁽¹⁰⁾ published as well as some produced as early as 1966.⁽¹¹⁾

Another custom which seems diametrically opposed to logic and respect for public input in decision making is the practice of special class placement without prior consultation with the child's parents. Undoubtedly they could possess vital information concerning the child's out of school performance and possibly share additional evidence to either support or weaken the contention that the child should be placed in a special class. We are now aware of the effects of the environment⁽¹²⁾ on performance and surely we must know that environment includes time spent away from the school as well as that spent in academic pursuit.⁽¹³⁾

It would seem that with mounting evidence from the scholars we would not need to be forced to modify our placement procedures without litigation. Somehow this is not the case. In a recent address at the 1971 N.Y. State Federated Chapter of the Council for Exceptional Children, Herman Goldberg, Assistant Commissioner of Education in the U.S. Office of Education severely criticized educationists for waiting to have the courts initiate needed change in issues directly dealing with class placement.

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PROBLEM INCIDENTS

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23

Rationale for Action

1. Technical (effectiveness)
2. Economic (efficiency)
3. Legal (standards)
4. Social (group values)
5. Political (group action)
6. Other _____

Action Taken

1. Took final, decisive action
2. Decided to take no action
3. Decided to postpone action
4. Decided to delegate responsibility
5. Decided to submit issue to higher authority for action
6. Decided to develop procedure for taking action
7. Decided to refer action to an administrative council
8. Decided to refer action to a faculty group
9. Decided to refer action to an ad hoc professional group
10. Decided to refer action to a lay group
11. Other _____

Method of Action After Decision

1. Communicated directly
2. Communicated indirectly
3. Communicated in writing
4. Communicated with those directly involved
5. Communicated with those who might be interested
6. Communicated generally
7. Other _____

Comments

APPENDIX B

DECISION MAKING ANALYSIS FORM (Check ✓ all appropriate categories)

		PROBLEM INCIDENTS																						
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Method of Action Prior to Decision																								
1. Collected information																								
2. Sought advice from superior																								
3. Sought advice from subordinate																								
4. Sought advice from a peer																								
5. Sought advice from external source																								
6. Sought alternatives or solutions from superior																								
7. Sought alternatives or solutions from subordinate																								
8. Sought alternatives or solutions from a peer																								
9. Sought alternatives or solutions from an external source																								
10. Attempted to develop support for action from superior																								
11. Attempted to develop support for action from subordinate																								
12. Attempted to develop support for action from peers																								
13. Attempted to develop support for action from external sources																								
14. Other _____																								
Basic Concern for Action																								
1. Concern for personal feelings or beliefs																								
2. Concern for a person																								
3. Concern for a group																								
4. Concern for the organization																								
5. Concern for relationships between individuals																								
6. Concern for inter-group relationships																								
7. Concern for relationships between individuals and the organization																								
8. Concern for relationships between groups and the organization																								
9. Other _____																								